

UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEW HAMPSHIRE

United States of America

v.

Case No. 05-cr-177-01-SM

Augustin Damian

O R D E R


Defendant Damian's motion to continue the final pretrial conference and trial is granted (document 9). Trial has been rescheduled for the February 2006 trial period. Defendant Damian shall file a waiver of speedy trial rights not later than December 9, 2005. On the filing of such waiver, his continuance shall be effective.

The Court finds that the ends of justice served by granting a continuance outweigh the best interest of the public and the defendant in a speedy trial, 18 U.S.C. § 3161(h)(8)(B)(iv), in that failure to grant a continuance would unreasonably deny defendant the reasonable time necessary for effective preparation taking into account the exercise of due diligence under the circumstances.

**Final Pretrial Conference:** January 26, 2006 at 1:30 p.m.

**Jury Selection:** February 7, 2006 at 9:30 a.m.

SO ORDERED.



Steven J. McAuliffe  
Chief Judge

December 2, 2005

cc: James Gleason, Esq.  
Robert Kinsella, AUSA  
US Probation  
US Marshal